City of Lafayette
Public Meeting Agenda
City Council Special Meeting

Monday, January 28, 2008 5:30 pm
Lafayette Community Center – Sequoia Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. CLOSED SESSION
   A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
   (Government Code section 54956.9(a).)
   David R. Bruzzone, et al. v. City of Lafayette, et al.
   Contra Costa County Superior Court Case No. C02 02145
   Recommendation: Discuss and direct staff.

   B. **Conference with Legal Counsel – Anticipated Litigation**
   Government Code section 54956.9 (b) – Significant exposure to litigation (1 potential case)
   Recommendation: Discuss and direct staff.

   C. **Conference with Legal Counsel – Anticipated Litigation**
   Govern Code section 54956.9 (c) – Initiation of Litigation (1 potential case)
   Recommendation: Discuss and direct staff.

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.

City of Lafayette
Public Meeting Agenda
City Council Special Joint Meeting
Design Review and Planning Commission Special Meeting

Monday, January 28, 2008 6:00 pm
Lafayette Community Center – Sequoia Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. STAFF REPORTS
   A. **Niroop Srivatsa, Planning & Building Services Manager**
   Planning Division Work Plan for 2008
   Recommendation: Approve the work plan for 2008. Authorize the transfer of $30,000 to Account 11-410-861 to pay for the upgrading of the drainage impact and walkway fees.

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City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, January 28, 2008 7:00 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS
7. PRESENTATIONS **7:10 pm (30 min.)**
   A. **Mike Hubbard, Police Services Manager**
   Annual Police Report
   Recommendation: Receive and file.

8. OLD BUSINESS **7:40 pm (40 min.)**
   A. **Mala Subramanian, City Attorney (15 min.)**
   Update on litigation concerning proposed access from Palo Alto Drive through a 0.12 acre parcel (APN 244-022-005) to a contiguous existing 9.25-acre vacant parcel (APN 244-300-001) owned by James and Nanna Busby.
   Recommendation: Receive and file.

   B. **Niroop Srivatsa, Planning & Building Services Manager (25 min.)**
      1. **Resolution 2007-047 adopting guidelines for conducting joint City Council, Planning Commission, and Design Review Commission pre-application meetings**
      Recommendation: Adopt Resolution 2007-047.

      Convene Redevelopment Agency

      2. **Recommendation of the Senior Housing Task Force for the City to apply for a State HELP loan for the purpose of supplementing the funds to purchase a site for the senior housing project. Consider acquisition of the adjacent site in order to build a mixed use project. APN's 233-040-024, 233-040-038 and 233-040-039**
      Recommendation: 1. Receive update from Eden Housing and direct staff to work with Eden Housing, Inc. to apply for a HELP loan from the State to purchase a site. 2. Consider the acquisition of the adjacent site and work in partnership with Eden to build a mixed use project.

      Adjourn Redevelopment Agency

9. STAFF REPORTS **8:20 pm (40 min.)**
   A. **John M. Luttropp, Associate Engineer (15 min.)**
   Presentation of Conceptual Plans for Mount Diablo Boulevard Pathway from the Lafayette Reservoir to Village Center

Recommendation: Forward the conceptual plans to EBMUD for the preparation of final plans for construction of a new multi-purpose pathway on the south side of Mount Diablo Boulevard from Village Center to the Reservoir entrance.

B. **Jennifer Russell, Parks, Trails & Recreation Director (15 min.)**
Purchase options for the property located at 3232 Deer Hill Road, owners Anne and Hunter Holding - APN 232-150-021
Recommendation: Discuss and direct staff.

C. **Christine Sinnette, Senior Planner (10 min.)**
1. **Introduction and first reading of Ordinance 570 to adopt Ordinance No. 2007-54 of the County of Contra Costa adopting the (1) 2007 California Building Code, (2) 2007 California Electrical Code, (3) 2007 California Plumbing Code, and (4) 2007 California Mechanical Code, with changes, additions and deletions.**
Recommendation: Introduce Ordinance 570 and continue to February 11, 2008 for a public hearing.

2. **Introduction and first reading of Ordinance 571 to adopt Ordinance No. 2007-47 of the County of Contra Costa adopting the California Fire code with amendments.**
Recommendation: Introduce Ordinance 571 and continue to February 11, 2008 for a public hearing.

10. PUBLIC HEARINGS **9:00 pm (5 min.)**

A. **Niroop Srivatsa, Planning & Building Services Manager**
GP01-06/RZ01-06CC: KO Architects (applicant), The Woodbury, LLC (owner), P1 Zoning: Request for approval to amend the planned unit development t (1) reduce the project unit count from the approved eighty (80) units to a project of not less than sixty (60) units and (2) make minor changes to the building elevations. The site plan, building footprints and envelopes and landscaping plans will remain unchanged. Project Location: 3758 Mt. Diablo Blvd., APNs 241-010-024, 033, 034, 040.
Recommendation: Continue without consideration to February 11, 2008.

11. CONSENT CALENDAR **9:05 (10 min.)**

A. **January 14, 2008 City Council Minutes**
Recommendation: Approve.

B. **Ordinance 564 amending Chapter 3-9, Gas Shut-Off Devices**
Recommendation: Continue to February 25, 2008.

C. **Resolution 2008-03 approving State-Local Agency Agreement for Federal Aid Projects: Master Agreement No. 04-5404R**
Recommendation: Adopt Resolution 2008-03 approving the updated Administering Agency-State Master Agreement No. 04-5404.

D. **2007/08 Budget Adjustment – Community Center Rink Project**
Recommendation: Carry-over 2006/07 balance of $601,501.40 to the 2007/08 Budget.

E. **Code Enforcement Activity Report**
Recommendation: Receive and file.

F. **Temporary Parking Restrictions on Golden Gate Way**
Recommendation: 1. Adopt a temporary "No Parking" restriction for the remaining duration of the library construction project, to be effective between 6 a.m. and 8 a.m., weekdays, on the south side of Golden Gate Way between 3467 and Second Street. 2. Authorize staff to proceed with additional measures as presented to alleviate concerns regarding construction worker parking.

Convene Redevelopment Agency

G. **Resolution R2008-01 directing staff to submit a Station Area Planning Program Grant Application**
Recommendation: Adopt Resolution R2008-01.

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS **9:15 pm (15 min.)**
A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Mayor Mike Anderson**
Update on Contra Costa County Solid Waste Authority Rates and Establishing the Franchise Fee.
Recommendation: Discuss and direct and consider revised franchise fee for Lafayette.

13. WRITTEN COMMUNICATIONS **9:30 pm (20 min.)**
A. **Letter dated December 17, 2007 from Sandra Jackson, Executive Director, Las Trampas, Inc. requesting a proclamation to recognizing the 50th anniversary of Las Trampas Inc.**
Recommendation: Discuss and direct.

B. **Letter dated January 8, 2008 from Jay Lifson, Executive Director of the Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza from 4:00 pm to 9:30 pm on Tuesday, May 20th for the fifth annual Taste of Lafayette.**
Recommendation: Discuss and direct staff.

C. **Letter dated January 8, 2008 from Jay Lifson, Executive Director of the Lafayette Chamber of Commerce, requesting permission to use Lafayette Plaza from 6:30 pm to 8:30 pm on Fridays, August 1, 8, 15, 22 for Rock the Plaza!**
Recommendation: Discuss and direct staff.

D. **Letter dated January 8, 2008 from Jay Lifson, Executive Director of the Lafayette Chamber of Commerce, requesting closure of Mt. Diablo Blvd. in both directions from Oak Hill Road to Dewing Avenue, Lafayette Circle east from Mt. Diablo Blvd. to just beyond Chow's from 6:00 pm on Friday, September 19th until 10:00 pm Sunday, September 21st. permission to hang banners on the median light poles, a variance to the sign ordinance for 3 additional banners, city assistance in publicizing the event through Vistas and the Community Center newsletter and the continued cooperation of the police and public works departments.**
Recommendation: Discuss and direct staff.

E. **Letter dated January 8, 2008 from Jay Lifson, Executive Director of the Lafayette Chamber of Commerce, requesting closure of Mt. Diablo Blvd. from First Street to El**

Nido Ranch Road from 7:00 am to 10:30 am on Sunday, October 26th leaving one lane open at all times for emergency vehicle access, permission to hang banners on the median light poles from September 22 through October 27th, city assistance in publicizing the event through Vistas and the Community Center newsletter and the continued cooperation of the police and public works departments.
Recommendation: Discuss and direct staff.

14. ADJOURNMENT 9:50 pm to the next regularly scheduled meeting on February 11, 2008.

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